G. M. 1909

153 of 09

1-3

Exempting the palace from liability to pay for Electric power Supplied from Govt. Installations. ——

vious references.
185-08 1/B 709

1909-10

(Genl. Mis.)

File No. 153-08

Serial Nos. 1-3

Later references.
Pun 164-10/11
- 87-11/12
- 273-1355 1-2
P.C. 42-18(154)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-3

Contains a Confidential Letter from the Chief Secretary to the Govt. dated 2.6.1911

Part B. for January 1910.

SUBJECT.

Exempting the Palace from liability to pay for electric power supplied from Govt Installations.

1 To the Comptroller & Chief Engineer No. G. 2347-8 dt 12-10-09
States that the Electric lighting of the Palace buildings at Bangalore & Mysore should not be paid for from Palace funds & direct that the Electric Supply may be given credit for the charge by a corresponding debit under 'Genl Misl'.
No. G. 2349 dt 12-10-09
Copy to the Financial Branch for confirmation.

2 From the Comptroller No. 2124/288 dt 22-10-09. With reference to the above enquiry from what source in the current years budget the charge in question should be met.

3 To the Comptroller & the Chief Engineer No. G. 3642-3 dt 19-1-10-
Govt. the source from which the expenditure should be met.

G.R.S.11]

1908

GENERAL AND REVENUE SECRETARIAT

II

Gen Admn Dept

NOTES.

Gen File No. 153-07

FILE HEADING.

Exempting the Palace from liability to pay for electric power supplied from Govt Installations

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

GPB—30,000—3-4-07.

2

Hm. 2072

D. 5285

The Palace,

Mysore. 16. 6. 09.

No. 604

My dear Sir.

Electric lights, with current supplied from the City hydro-electric mains, have recently been undertaken at the Vasanth Mahal and also the Palace Stables, and the Estimate from lighting the Summer Palace similarly has also been sanctioned. Work in connection with the fitting in of lights in the Bangalore Palace

G.R.S. 137

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

5285.

Secretary
9/10 June

Sir
I have advise the Electric Supply Co's Solicitors that bills in duplicate
2. Request Finance Branch for the favour of their opinion
Yours obedt Servt
Phillips

Asst to Ch. Engineer
14/6

Drafted.
VS
16/6/09

Issued 15/6

Issued under G 7101 of 16.6.09

Forwarded to Br II for favour of opinion VS

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—45,000—19-5-08

5285

G.R.S. 29A]

190 (4

From

Secy. to the Govt. of His Highness the Maharaja of Mysore, Genl. and Rev. Dept.

To The Chief Engineer

Dated

Despatched 16.6.05 Un despatched

Received

General No. G 7101

No.

Enclosure No.

Sir

I am directed to request you to be [illegible] to advise the Electrical Dept to hold in abeyance ~~all~~ bills ~~for~~ for Electric power supplied to the several buildings in Bangalore

MGCFB—20,000—16-2-05

* Mysore belonging
to Palace Dept pending
orders of Govt re. the question
of exemption the Palace
Dept. from the payment
of charges for excess power
supplied to the several buildings
refd to above.

Thanks

Yours
VS

G.R.S. 13]

Rout

[To be used only for notes, requisitic

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(51)

Apply your file
to the Secretary's
Financial Branch
for opinion

Z 8/6

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—45,000—19-5-08

Serial No.

Subd
Hon
19.6.09

Vide papers below.
MM
28/8/09

The State Electrical Department is a Commercial Department and under the principles governing the Constitution of such a department, it has to claim payment for power supplied by it, from all Departments including Public Service Departments. There do not seem to be any exceptions to the general financial rule that "a Commercial Department should charge any other Department for Services rend or articles supplied in the same way as it would charge a member of the public". For the purpose of ascertaining the true results of the working of the Electrical Department, it has to be permitted to take credit for the power supplied by it to the Palace. If it has to take credit, the question arises, by debit to what head or department it can take such credit.

A

The exemptions referred to in para 3 of G.O. of 7-1-09 are instances of exemption from taxation and the present case appears to be distinguishable from them, in that it is one of a claim

NOTE—Contn. sheet.

GPB—50,000—13-5 08

146

Serial No.

made in return for a Specific Service rendered or a Specific Supply made.

A case relating to the Palace cmtg

mull 29/6/19

Finl Secy

I have found this case a difficult one to note upon. The question is whether the Palace should be exempt from ~~XXXX~~ liability to pay for electric power supplied to its buildings from Government Installations. The grounds on which exemption is suggested are:-

(1) Such payments are objectionable in principle.

(2) Palace lands are exempt from assessment and cesses of all kinds and Palace house properties are also not liable to Municipal or other taxation.

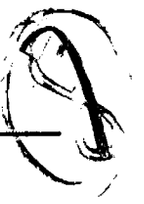
(3) Such payments would establish undesirable precedent.

2. Ofcourse it is quite clear that the Electric Department will have to be given credit. to keep ~~their~~ its accounts, which are now more than ever kept on a commercial basis, correct. But that does not settle the point at issue, viz., whether the credit will be give by debit to Palace Funds or the Funds of Public Works Department i.e.. the General Revenues. It is necessary therefore to examine the three grounds referred to above, as His Highness has been graciously pleased to keep the point open for discussion.

3. The principle referred to in ground (1) stated above is, as far as I can make out the principle of

NOTE—Contn. sheet.

GPB—50,000—13-5 08



Serial No.

prerogative. In every country the Sovereign enjoy some prerogatives- personal, political, judicial, ecclesiastical, fiscal &c.. Exemption from taxatio is one of the personal prerogatives of the Soverei in some countries as in England. "The King is .. exempt from taxation on the ground that as the re venue of the realm is his prerogative, it is useles for him to tax himself. But lands purchased by the privy purse are liable to taxation. He is also exempt from tolls (which can only exist as a franchise granted by him) and from the poor rate..... The privilege of exemption from taxation applies to his Palaces and to the public buildings of the Stat I quote this passage not under the impression that it can have any direct application to the circumstances of this State but because it may help us to understan the difficult subject of prerogative generally speaking. If we can arrive at any conclusion from a study of the subject, it is the fact that prerogatives seldo stand on any definite principles. They evolve themselves by processes of great complexity in the course of development of the history of the nation. Thus "the theory of English law as to the prerogative of the King seems to be not quite consistent". Indeed from the very nature of the subject, prerogative must depend more on custom and usage than on any well-defined abstract rules. In the case of a new class of transactions where there is no custom or long establi ed practice, analogy with existing prerogatives is the only guide. It is therefore necessary to see whethe the supply of Electricity from Government Installations can be brought under any of these classes of

GPB—50,000—18.5.08

of transactions in respect of which prerogative has heretofore been exercised as a long-standing custom.

4. This practically brings us to the second ground, as the first by itself does not help us much. Palace lands are not subject to land revenue and Palace house-properties under the Proviso of Section 59 of the Mysore Municipal Regulation are not liable to Municipal tax, other than special sanitary cess or water rate. To this we can add that Palace documents are not liable to stamp duty and that Sandal trees in Palace lands are not Government but Palace property. These are all important prerogatives but it is difficult to establish a clear analogy between any of these and the supply of Electricity from Government installations. None of the above prerogatives is so decidedly of the nature of free supply of a commodity produced at the cost of the General Revenues. In fact after a very careful consideration it is impossible to resist the conclusion that there is no real analogy between the existing cases of prerogative and the case under consideration. Exemption from taxation is one thing- the free supply of a commodity is quite another.

5. As regards the objection that such payments would form an undesirable precedent I am not clear as to what is contemplated. Prerogative, as I have tried to shew above, depends on custom and usage and new cases which cannot be brought within one of the

GPB—50,000—13-5 08

the existing ones, will have to be decided on their own merits as they arise. As far as I can see such cases will be rare and it is not easy to see how the trouble of deciding new cases as they arise can be avoided.

6. Looking at the subject from another point of view, the Palace buildings are now lighted at the cost of the Palace Funds. If, when they are lighted by electricity, the cost of current is paid from the general revenues, how can the case be distinguished from one of a deviation from the principles underlying the Civil List?

7. For the above reasons, I would respectfully advise that the Palace may give up the claim for free supply. But it is at the same time not desirable that the Palace should be billed for in the same way as ordinary customers. When the accounts of the Mysore Lighting Section are separately made up under the new system at the end of the current year, it will most probably appear that for some time to come the Section will have to work at a loss. The section can therefore will appeal to the Palace for an annual grant-in-aid. In consideration of such a "Palace grant-in-aid to the Mysore Lighting Installation" the Palace buildings in Mysore and elsewhere may be supplied with current to the extent necessary. The amount of the grant may be fixed by His Highness every three years on the advice of the Electrical Department and the annual adjustments can be made by the Comptroller without any bills or correspondence between the Electrical Department and the Palace.

NOTE—Contn. sheet.

2277, 28/09 Dewan

BPG—55,000—27-4-09

J S Chakravarti
28. 8. 09

GOVERNMENT OF MYSORE

Mysore
4.10.09

Dear Mr Chandrasekhara Aiyar

The Dewan

Said that the enclosed papers (Dewan's note 66H. of 2.9.09 & H.H's order of 29.9.09) may be kept in a sealed cover. I suppose they have to be shown to the Financial Secretary also?

(1)

(2)

Yours sincerely
Matthai

(1) Kept in a sealed cover

(2) Seen by in Financial Secy.

G. R. S. 12]
General and Revenue
ecretariat.

File No. 155 of 190

Serial
No.

Kept in a sealed
cover and attached
hereto.
6.10.09.

Need with dupl. order for Com
14/10/09

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G. R. S. 12]
General and Revenue Secretariat.

GM File No. 158 of 1909-10

Serial No.	
	Forwarded to H Secretary for confidential perusal & return

Seen: Thanks. 5/10/09

Done 6-10-09

Mag the Dewan's proposal be sanctioned by H?
7.10

To the Comptroller & Chief Engineer
No. G. 2347-8 dt 12-10-09
Observes that the electric lighting of the Palace buildings at Bangalore & Mysore should not be paid for from Palace funds & directs that the Electrical Dept may be given credit for the charges by a corresponding debit under 'General Administration'

No. G. 2349 dt 12-10-09
Copies to the Financial Branch for Confirmation

The sealed cover containing the Dewan's Submission Note and His Highness' orders is kept in the Council section - No. 1 (Register of sealed covers). 2.6.1911

NOTE—Contn. sheet.

GPB—50.000—13-5-08

G. R. S. 12]
General and Revenue Secretariat.

Sm File No. 153 of 1909-10

Serial No.	
2	From the Comptr. No 2124/288 dt. 22-10-09 With ref^e to
178	sl. enquiries from what source in the current
	year's budget the charge in question should be
	met.
	May the Chief Engr be consulted u.o. as to
Yes please	what the probable cost of power supplied to the ~~Secretariat~~ Palace
	during the current year will be and as to whether
	he can suggest any source from the current
	year's P.W. budget? The requisite funds may
	perhaps be found out of the provision for the ~~New Palace and~~
	construction of the new Palace Approaches completion]
	2.11.09
	2/11 Secy.

M.R. 33 of 1909-10
9. 8-11-09

4/11/09

To the Chief Engineer for favour of furnishing the information noted above.

6/11.

Secretary

NOTE—Contn. sheet.

GPB—55,000—27-4-10

P.T.O.

The term Efficiency audit has come into vogue only recently. It is no doubt very expressive and appeals to one's fancy by reason of its novelty but the idea itself is well known and efficiency has of course all along been the theoretical aim of all organisations of Departments, whatever the degree of success which was ~~attended~~ attained in securing it. I hope therefore that I shall not be misunderstood or considered to be advocating the cause of inefficiency if I give my reasons for holding that it is unnecessary and undesirable to create the Department proposed. It is true that mention was made of the necessity of having a Department of this kind both in the Government order cited in the draft and in the Dusserah address of the Dewan, but I may be permitted to say that it was somewhat premature for the scheme which the Dewan had in mind was never fully considered and resolved upon as a deliberate measure of Government, and it was understood that it was still in an inchoate stage.

The objects now mentioned in the secon

paragraph of the draft are all most unexception-
-able and desirable. but there are already ample
means to hand by which they can be secured.
Besides the District officers and their subordin-
-ates, every important Department has a head
whose chief duty is to see that the Department
is efficiently worked by means of frequent and
systematic inspections and otherwise. General
and standing orders for all these Departments
have been passed in most cases by Government
and occasionally by the Heads of the Departments
themselves and further additions to such orders
can only be made by the same agency as cases and
occasions arise. To collect and compile them
as an office manual can best be done either by
the Heads of Departments or by the Government in
the Department concerned. The work is actually
being so done and if sufficient progress has not
been made, it is not for want of agency to do it
It is the legitimate work and in fact the only
work for which both the Government with the
large machinery at its disposal and the Heads of
Departments with their Assistants and Subordinate

Subordinates exist, to ensure "that the rules and orders in force are properly worked or if not workable, promptly modified; that beneficent activities of every kind receive stimulus, that serious irregularities receive prompt attention; that, in short, waste of power and slackness of execution in the different departments of Govern-ment are controlled and minimised." If the large hierarchy of officials already existing are unable to secure efficiency and prompt despatch of work, is it likely that the addition of one or two officers with a few clerks to the Secretariat will work any wonderful change? For it must be remembered that the new officers are to be selected from the same class of men as the existing officers of these Departments. The Degree of Coordination and uniformity of work, and procedure that is practicable and desirable should be introduced by the Central Government and is in fact one of its main functions, as are also the other things mentioned in Paragra three of the draft.

The proposal virtually resolves itself to the addition of one or two offi...

and a few clerks and menials to the existing General and Revenue Secretariat. There is in my opinion no need ~~to~~ for any further addition to the number of officers in the Secretariat. In fact there have been recent additions, which were not absolutely necessary. All the diffe -ent Departments have been distributed among t existing officers and the new heads of work mentioned in Paragraph 5 of the draft order are matters of routine which if they are not already included, may well be assigned to the proper officers concerned. The first four objects do not require any separate department or establishment. I do not understand the precise scope of the fifth head. Every Department of Government must conserve all the information necessary for its work within itself and when any emergency requires an additional staff for investigation, it should be employed for the occasion. I cannot understand what administrative audit means and why the account officer need any additional help to complete their financial audit. If their establishment is insufficient, it may be strengthened on proper

reasons being shown.

In connection with the Retrenchment Committee, I have made a proposal for its abolition or revision and if that is carried out, no Secretary, ex-officio or other, is needed At any rate the Committee has asked for a full time officer for six months and a part time officer is not likely to serve their purpose.

Paragraph 6 of the draft.

I see that the 8th Paragraph proposes to give R$720 a year to each Deputy Commissioner to be utilised in connection with investigations into the grievances of the local ryots and ir-ularities on the part of the minor officials. I do not know if this means a change of the scheme as orally explained by the Dewan or whether the same system is meant to be expounded in a separate order which is meant to be issued. I cannot see any need for the provision of this Secret Service Fund in addition to what I believe is already provided in the Police budget.

If the ~~same~~ system is, as I am afraid, anything like the systematic employment of paid

informers, I think it will be a most reactionary and undesirable innovation, but as the details are unknown, I am unable to say more at present.

H. Macpherson

21/1/14

G. R. S. 12]
General and Revenue Secretariat.

File No. 153 of 1909-10

Serial No.

U.O.No. 210 P.W.D. Dated 9th November 1909.

Electric light and power are supplied to the following Palace buildings in Mysore at present-

Vasantha Mahal

Jaganmohan Palace

Palace Stables

The cost of power supplied from May to end of October-1909 is estimated at Rs.988/-- and for the remaining period of the year at 200 Rupees per mensem. The total amount of Rs.2,400 will be allotted from Provincial Funds, Repairs Civil Buildings, at the Chief Engineer's disposal.

From next year provision for the charge will be made separately in the P.W. Budget as the amount is likely to exceed Rs.2,500 per annum.

Camp Mysore,
15-12-09.

R Srinivasa
Chief Engineer of Mysore.

Pratap draft to the Comptroller
accepts
22/12/09

Draft Sub. No. 153
23-12-09

may be approved
25/12/09

See 41

Devan's Issue
7/1/10

NOTE—Contin. sheet

GPR—50 000—8-2-(

G. R. S. 12]
General and Revenue Secretariat.

G. In. File No. 153 of 1909–10.

(15

Serial No.	
3	To the Comptroller & the Chief Engineer. No. G. 3642-3 & 19-1-10. States that the Cost of electric power supplied to the Palace buildings at Bangalore & Mysore will be met from the grant at the Chief Engineer's disposal on a/c of repairs to Civil buildings and that from next year a Separate provision will be made for the purpose in the budget of the Public Works Dept.

NOTE—Contn. sheet.

GPB—55,000—27-4-09

1W/04
D 5285

5 Copies.

Confirmed
No 2065
Dt 15-4-09

Read:-
Letter No. G 710 dt 14-7-08 of the Chief Engineer
from the Secy, Govt Elec Dept, to
the Chief Engineer requesting that
orders may be issued the Electrical
Dept may be advised to hold in
abeyance the bill submitted by that
Dept for electric power supplied to
Palace buildings in Bangalore &
Mysore, pending orders of Govt on the
question whether the Palace should be
charged for electric power supplied.

Order thereon No G. 2347-8
H. H. 153-09-1 dt 12-10-08

The Govt have carefully considered
the question and are of opinion that
the electric lighting of the Palace
should not be paid for from Palace
funds. There is however no objection
to the accounts of the Electrical Dept
being given credit for the charges in
question, by a corresponding debit
under "General Administration".

By Order
Secy

To
The Chief Engineer Mysore
The Comptroller to Govt

for Secy
Govt
15/4

G.M.153.09.2

It is requested that in future communications on the subject, the No. and date of this letter, and the distinguishing letters below the number as given opposite, may be quoted.

No. 2124 / I 288

OFFICE OF THE COMPTROLLER, MYSORE GOVERNMENT,

Dated Bangalore, the 22 October 1909.

D. 1787

FROM

J. S. CHAKRAVARTI, ESQ., M.A., F.R.A.S., etc.,
Comptroller to the Government
of His Highness the Maharaja of Mysore.

To

K.S. Chandrasekhara Aiyer Esq., B.A., B.L.,

Secretary to the Government of Mysore,

General and Revenue *Departments.*

SIR,

Adverting to Government Proceedings No.G.2347-8/G.M.153-09-1 dated 12th October 1909 sanctioning the adjustment of charges on account of Electric Power supplied to the Palace buildings in Bangalore and Mysore by debit to "General Administration", I have the honor to request that you will be so good as to point out the source in the current year's budget from which the charge should be met.

I have the honor to be,

Sir

Your most obedient servant,

J. Chakravarti

For Comptroller.

BR

Treasury Accounts Department.

1909

From

J. S. CHAKRAVARTI, Esq.,
M.A., F.R.A.S., etc.,
Comptroller to the Govt. of
H. H. the Maharaja of Mysore.

To

C. S. Chandrasekhara Iyer Esq., B.A., B.L.
Secretary to the Govt. of Mysore,
Gen. & Rev. *Dept.*

Dated

Despatched 22 Oct. 09.

Received

No. 2124
~~P 288~~

Subject-matter.

Requesting to point out the source in the current year's budget from which the charges of supplying Electric power to Palace buildings in Mysore & Bangalore should be met.

GPB—1,000—20-7-08

G.R.S. 28]

File No. 153-09
Serial No. 3

Diary No. of letter replid to

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
( )

READ.—

Govt. No. G. 2347-8 / G-R-153-09-1 dt. 12-10-09 passing orders regarding the adjustment of the cost of electric power supplied to the Palace building in Bangalore Mysore

the 190

Date of issue 19-1-10

Signed by Mr. C. Ranganatha Rao Saheb

ORDER THEREON. No.

2. Letter No. 2124/288 dt. 22-10-09 from the Camp Office enquiring with reference to the above order from what source the charge due during the current year should be met.

P.T. over

SUBJECT

More 7/1

Order Memo No. G-3642-3 Q. 19 1/10

The Charge for the Current Year will be met from the grant at the Chief Engineer's disposal on account of Repairs to Canal Bunding. A Separate provision will be made for the purpose in the budget of the P W Dept for next year

USB 7.1.10

Asst Engr to Sat

To All US.

1) The Comptroller,

2) The Chief Engr of Mysore

Copy to Mr. II for information.

B